



*United States Attorney  
District of Minnesota*

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600 United States Courthouse

(612)664-5600

300 South Fourth Street  
Minneapolis, MN 55415  
[www.usdoj.gov/usao/mn](http://www.usdoj.gov/usao/mn)

March 25, 2010

VIA ECF

Hon. Donovan W. Frank  
U.S. District Judge  
7th Floor, U.S. Courthouse  
St. Paul, MN 55101

Re: *United States v. Guidant LLC*, No. 10-mj-67 (DWF)

Dear Judge Frank:

In response to Your Honor's letter dated yesterday, the government believes that the time currently scheduled for the hearing on April 5, 2010 will be sufficient for entry of the plea and the Court's consideration of the issues likely to be presented by Multi-District Litigation plaintiffs' counsel.

The undersigned will present any written submissions and oral argument for the government on those issues.

Finally, we have conferred with both Mr. Zimmerman and counsel for Guidant, Dan Scott, and we agree that any briefing from MDL counsel should be filed by March 30, 2010, with any response from the government and/or defendant by April 1, 2010. If these deadlines are not satisfactory to the Court, please have your clerk contact us.

Respectfully submitted,

FRANK J. MAGILL, JR.  
Attorney for the United States  
Acting Under Authority Conferred by  
28 U.S.C. § 515

*s/Robert M. Lewis*  
BY: ROBERT M. LEWIS  
Assistant U.S. Attorney

*s/Ross S. Goldstein*  
ROSS S. GOLDSTEIN  
Trial Attorney  
U.S. Department of Justice

cc: Daniel M. Scott, Esq.  
Larry E. Tanenbaum, Esq.  
Charles S. Zimmerman, Esq.